

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 23RD AUGUST 2006 / 1ST BHADRA 1928

Bail Appl..No. 5006 of 2006

CRIME NO. 196/2006 OF PAZHAYANGADI POLICE STATION

.....

PETITIONERS/ACCUSED:

1. P.V. SIVADASAN,
S/O. LATE RAMANKUTTY NAMBIAR, AGED 46 YEARS,
RESIDING AT KADAMBOOR, P.O. EDAKKAD, KANNUR.
2. P. PRAMOD KUMAR, S/O.KRISHNAN NAMBIAR,
AGED 42 YEARS, PRASANTHI, CHELORE AMSOM,
PERINGALAYI DESOM P.O. KAPPAD, KANNUR DISTRICT.

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENTS: STATE AND COMPLAINANT:

1. STATION HOUSE OFFICER,
PAZHAYANGADI POLICE STATION, PAZHAYANGADI.
2. STATE OF KERALA,
REP. BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23/08/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

J.M.JAMES, J.

B.A. 5006/2006

DATED THIS THE 23RD DAY OF AUGUST, 2006

O R D E R

The petitioners are accused Nos. 2 and 3, being the cashier and senior clerk of the Kannur District Ex-service Men Credit Multi-purpose Co-operative Society, Pazhayangadi. The first accused pledged the gold ornaments on 12.10.1998 and received an amount of Rs.32,000/-, and thereafter, remitted this amount in the bank.

2. It is alleged by the prosecution that the petitioners, with the connivance of the first accused, without entering the said amount of Rs.32,000/- in the relevant registers and ledgers of the society, misappropriated the amount. Hence, a complaint was filed before the Court below, which was forwarded to and investigated by the police. Crime No.196/2006 of Pazhayangadi Police Station was registered against the petitioners, for the offence punishable under Sections 406, 420, 468, 471 and 120B IPC read with Section 34 IPC. The petitioners are before this Court, under Section 438 Cr.P.C.

3. The learned counsel for the petitioners submitted that the petitioners had been dismissed from the service, in the year 2002, and an A.R.C was preferred before the labour Court, for the settlement of the benefits, pending before the labour Court, Kannur.

4. In the above facts situation, I direct the petitioners to surrender before the Investigating Officer, who is investigating crime No.196/2006 of Pazhayangadi Police Station, on 31.8.2006 between 10.30 a.m and 11.00 a.m.

5. The Investigating Officer shall interrogate the petitioners and produce them before the competent Magistrate Court, according to the law. The learned Magistrate shall release the petitioners on bail, imposing such conditions, which are deemed necessary including the reporting of the petitioners' before the Investigating Officer.

The application is disposed of as above.

**J.M.JAMES
JUDGE**

mrCS